

Public Chapter 428

HOUSE BILL NO. 94

By Representatives Haley, Odom, Sherry Jones, Pleasant, Ulysses Jones

Substituted for: Senate Bill No. 549

By Senators Haun, McNally

AN ACT to amend Tennessee Code Annotated, Titles 5; 6; 7; 13; 54; 57; 67; 68 and 69, relative to the powers and responsibilities of local governments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1 is amended by adding the following as a new section:

On or before July 1, 1998, any municipality, incorporated before the effective date of this act that has not adopted a personnel policy by ordinance, resolution, or otherwise, shall adopt such a policy that applies fairly, impartially, and uniformly, to the extent practicable, to each department of the municipal government. The policy may include, but not be limited to, hiring procedures, benefits, personnel rules and regulations, fair and reasonable complaint conferences and hearing procedures for employees dismissed, demoted, or suspended; procedures for compliance with federal laws such as, but not limited to, the Fair Labor Standards Act and the Americans with Disabilities Act; drug and alcohol testing policy; and a sexual harassment policy. The policy may not grant a property right or contract right to the job to any employee. The municipality may work with the University of Tennessee Municipal Technical Advisory Service, in cooperation with the Tennessee Municipal League, in developing its policy. A copy of the resolution or ordinance adopting the policy, or its caption, shall be published in a newspaper of general circulation in the municipality before final adoption of the policy. A copy of the personnel policy as required by this section shall be kept in the office of the city recorder or clerk and made available to an employee on request. Any municipality incorporated after the effective date of this act shall have two (2) years after incorporation to adopt and implement a personnel policy pursuant to this section.

SECTION 2. Tennessee Code Annotated, Section 54-17-114 (a)(1), is amended by adding the following language as a new appropriately designated subdivision:

() That segment of State Route 385 (Nonconnah Parkway) in Shelby County from its intersection, with U.S. Highway 72 to Interstate 240, but excluding any part of such segment of Route 385 which has property fronting on such route that is zoned on the effective date of this act with the commercial designation of CL, CH or CP or the industrial designation of IL or IH under the Shelby County or City of Memphis zoning ordinances.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

